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AMENDMENTS TO CLAIMS

1. (Withdrawn) A method of making a magnetic tunnel junction device, comprising:

forming a magnetic tunnel junction stack;

forming an etch stop layer on the magnetic tunnel junction stack, the etch stop layer comprising a first electrically conductive material;

forming a first mask layer on the etch stop layer;

patterning the first mask layer;

forming a discrete magnetic tunnel junction stack by etching the magnetic tunnel junction stack;

forming a dielectric layer that completely covers the discrete magnetic tunnel junction stack;

planarizing the dielectric layer until the dielectric layer and the first mask layer form a substantially planar surface;

forming a self-aligned via by etching away the first mask layer;

depositing a second electrically conductive material on the dielectric layer and in the self-aligned via;

patterning the second electrically conductive material; and

forming a dual-damascene conductor by etching the second electrically conductive material.

2. (Withdrawn) The method as set forth in claim 1, wherein the etching away the first mask layer comprises a plasma etch using an etch material comprising a gas containing fluorine.

3. (Withdrawn) The method as set forth in claim 2, wherein the etch material further includes oxygen.

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4. (Withdrawn) The method as set forth in claim 1, wherein the etching of the first mask layer to form the self-aligned via comprises a wet etch using an etchant material including fluorine.

5. (Withdrawn) The method as set forth in claim 1, wherein the depositing of the second electrically conductive material is continued until the second electrically conductive material completely fills in the self-aligned via and extends outward of the substantially planar surface by a predetermined distance.

6. (Withdrawn) The method as set forth in claim 1, wherein the etching the first mask layer is continued until the first mask layer is completely dissolved and the self-aligned via extends to the etch stop layer.

7. (Currently amended) A magnetic tunnel junction device, comprising:
a discrete magnetic tunnel junction stack ~~including a top portion, a bottom portion, and a side portion;~~
an etch stop layer of a first electrically conductive material, the etch stop layer ~~[[is]]~~ in contact with the stack top portion; and
~~a bottom conductor in electrical communication with the bottom portion; and~~
a dual-damascene conductor including a top conductor first portion spaced apart from the etch stop layer and a second portion extending from the first portion to via, the via is in contact with the etch stop layer; wherein the second portion is self-aligned with the etch stop layer. ~~and the top conductor and the via are homogeneously formed with each other.~~

8. (Currently amended) The magnetic tunnel junction device as set forth in claim 7, wherein the first electrically conductive material for the etch stop layer is ~~a material~~ selected from the group consisting of aluminum and alloys of aluminum.

9. (Currently amended) The magnetic tunnel junction device as set forth in claim 7, wherein the first and second portions are unitary. ~~dual-damascene conductor~~

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~~is made from a material selected from the group consisting of aluminum, alloys of aluminum, tungsten, alloys of tungsten, copper, and alloys of copper.~~

10. (Currently amended) The magnetic tunnel junction device as set forth in claim 7 and further comprising a dielectric surrounding the etch stop layer and the stack, wherein the first portion is on the dielectric and the second portion extends through the dielectric. [[:]]

~~a plurality of the magnetic tunnel devices positioned in a plurality of rows and a plurality of columns of an array;~~

~~a plurality of row conductors that are aligned with a row direction of the array; and a plurality of column conductors that are aligned with a column direction of the array;~~

~~each of the plurality of the magnetic tunnel junction devices is positioned between an intersection of one of the row conductors with one of the column conductors;~~

~~wherein the plurality of row conductors comprises a selected one of the dual damascene conductor or the bottom conductor, and~~

~~wherein the plurality of column conductors comprises a selected one of the dual damascene conductor or the bottom conductor.~~

11. (Currently amended) A data storage device comprising an array of the devices as set forth in claim 7, wherein the first portions form lines for the ~~The magnetic tunnel junction device as set forth in claim 10, wherein the array is a MRAM array.~~

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12. (Currently amended) A magnetic tunnel junction device, comprising:

a discrete magnetic tunnel junction stack including a plurality of thin film layers that include a data layer, a reference layer, and a tunnel barrier layer positioned between the data layer and the reference layer;

~~the plurality of thin film layers including a top portion, a bottom portion, and a side portion;~~

an etch stop layer of a first electrically conductive material, the etch stop layer ~~[[is]]~~ in contact with ~~[[the]]~~ a top portion of the stack;

a bottom conductor in electrical communication with ~~[[the]]~~ a bottom portion of the stack;

a dielectric surrounding side portions of the stack and the etch stop layer;

a self-aligning via extending through the dielectric, between the etch stop layer and an upper surface of the dielectric; and

a dual-damascene conductor including a top conductor on the dielectric and a via conductor in the via, wherein the via conductor is in contact with the etch stop layer, and the top conductor and the via conductor are unitary ~~homogeneously formed with each other.~~

13. (Original) The magnetic tunnel junction device as set forth in claim 12, wherein the first electrically conductive material for the etch stop layer is a material selected from the group consisting of aluminum and alloys of aluminum.

14. (Original) The magnetic tunnel junction device as set forth in claim 12, wherein the dual-damascene conductor is made from a material selected from the group consisting of aluminum, alloys of aluminum, tungsten, alloys of tungsten, copper, and alloys of copper.

15. (Original) The magnetic tunnel junction device as set forth in claim 12, wherein the data layer is positioned at the top portion and the data layer is in contact with the etch stop layer.

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16. (Original) The magnetic tunnel junction device as set forth in claim 12, wherein the reference layer is positioned at the top portion and the reference layer is in contact with the etch stop layer.

17. (Original) The magnetic tunnel junction device as set forth in claim 12, wherein the tunnel barrier layer is made from a dielectric material.

18. (Original) The magnetic tunnel junction device as set forth in claim 12 and further comprising:

a plurality of the magnetic tunnel devices positioned in a plurality of rows and a plurality of columns of an array;

a plurality of row conductors that are aligned with a row direction of the array;
and

a plurality of column conductors that are aligned with a column direction of the array,

each of the plurality of the magnetic tunnel junction devices is positioned between an intersection of one of the row conductors with one of the column conductors,

wherein the plurality of row conductors comprises a selected one of the dual-damascene conductor or the bottom conductor, and

wherein the plurality of column conductors comprises a selected one of the dual-damascene conductor or the bottom conductor.

19. (Original) The magnetic tunnel junction device as set forth in claim 18, wherein the array is a MRAM array.

20. (Original) The magnetic tunnel junction device as set forth in claim 18, wherein the tunnel barrier layer is made from a dielectric material.